

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

BAKKEN CONTRACTING, LLC, d/b/a
BC Contracting,

Plaintiff(s),

vs.

THE VENUE AT WERNER PARK, LLC,

Defendant/Third-Party Plaintiff,

vs.

WESTERN SURETY COMPANY,

Third-Party Defendant.

BAKKEN CONTRACTING, LLC, d/b/a
BC Contracting,

Third-Party Plaintiff,

vs.

SEAN NEGUS CONSTRUCTION, LLC; R2
PLUMBING, LLC; GRAND RAPIDS
POURED WALLS, INC., d/b/a Cherry Valley
Concrete; and MAHONEY FIRE SPRINKLER,
INC.,

Third-Party Defendants

GERSHMAN INVESTMENT CORP.,

Plaintiff in Interpleader,

vs.

BAKKEN CONTRACTING, LLC, d/b/a BC
CONTRACTING; THE VENUE AT WERNER
PARK, LLC; WESTERN SURETY
COMPANY; SEAN NEGUS
CONSTRUCTION, LLC; R2 PLUMBING,
LLC; GRAND RAPIDS POURED WALLS,
INC., d/b/a CHERRY VALLEY CONCRETE,
and MAHONEY FIRE SPRINKLER, INC.,

Defendants in Interpleader.

8:21CV269

**ORDER ON STIPULATION FOR
PAYMENT OF PLAINTIFF-IN-
INTERPLEADER'S ATTORNEY FEES
FROM COURT REGISTRY**

This litigation originated as a lawsuit by a contractor to recover payment from a developer for construction of a U.S. Department of Housing and Urban Development (HUD) financed apartment complex and related structures in Papillion, Nebraska, known as The Venue at Werner Park (the Project). It now embroils many more parties, counterclaims, and third-party claims. It also involves an interpleader claim that has been substantially resolved. Indeed, what remains of the interpleader claim is the Plaintiff-in-Interpleader's Motion for Order Awarding Attorney Fees for its Counsel from Funds Held in Court Registry. [Filing 145](#).

This matter is now before the Court on a Stipulation for Payment of Attorney Fees from Court Registry, [Filing 158](#), by and between Plaintiff-in-Interpleader Gershman Investment Corporation and Defendant-in-Interpleader Bakken Contracting, LLC, d/b/a BC Contracting. The Stipulation is to resolve the dispute between these parties regarding the payment of attorney fees to Daniel D. Walsh, as attorney for Gershman Investment, from the funds held by the Court in the Court's Registry. The Court approves the Stipulation.

Accordingly,

IT IS ORDERED that the Stipulation for Payment of Attorney Fees from Court Registry, [Filing 158](#), by and between Plaintiff-in-Interpleader Gershman Investment Corporation and Defendant-in-Interpleader Bakken Contracting, LLC, d/b/a BC Contracting, is granted as follows:

1. That Daniel D. Walsh shall be paid immediately the total sum of \$7,050 from the funds held by the Court in the Court Registry in the form of a check payable to Daniel D. Walsh, and mailed to the address of 11330 Q Street, Suite 231, Omaha, NE 68137, upon receipt by the Clerk of a completed W-9 from Mr. Walsh. The aforementioned payment of the \$7,050.00, which is a reduced amount from the \$10,050 that was claimed in the motion filed by Gershman

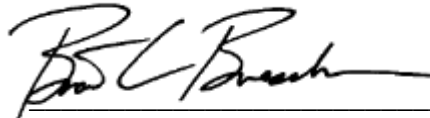
Investment, [Filing 145](#), shall completely satisfy the claim of Gershman Investment and its counsel in this matter.

2. That upon payment of said amount, Gershman Investment shall be dismissed as a party in this matter and is excused and dismissed from further attendance in this matter, and the Clerk shall terminate Gershman Investment as a party and shall terminate all future notices to Gershman Investment and to its counsel, Mr. Daniel D. Walsh, after the entry of the Order approving the Stipulation and payment.

3. That Plaintiff-in-Interpleader's Motion for Order Awarding Attorney Fees for its Counsel from Funds Held in Court Registry, [Filing 145](#), is granted on the terms stated in this Order.

Dated this 8th day of April, 2024.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'B. C. Buescher', written over a horizontal line.

Brian C. Buescher
United States District Judge